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10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE DISTRICT OF NEVADA**

12 THOMAS BIRGMANN, an individual,

13 Plaintiff,

14 vs.

15 CAPITAL ONE SERVICES, LLC, a foreign  
16 limited-liability company; DOES 1 through 10  
inclusive; ROES  
17 CORPORATIONS/ENTITIES 1 through 10  
inclusive,

18 Defendant(s).

19 Case No.: 2:17-cv-00717-JAD-CWH

20 **STIPULATION AND ORDER FOR**  
**DISMISSAL OF CASE, WITH**  
**PREJUDICE**

21 IT IS HEREBY STIPULATED, by and between Defendant Capital One Services II, LLC  
22 (“Defendant”) and Plaintiff Thomas Birgmann (“Plaintiff”), by and through undersigned counsel,  
23 that all claims Plaintiff had or may have had against Defendant that are contained in, reasonably  
24 related to, or could have been brought in the above-captioned action, are hereby dismissed, with  
25 prejudice, in their entirety.

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1       Each party is to bear their own fees and costs.

2       DATED this 1st day of September, 2017.           DATED this 1st day of September, 2017.

3       THE THATER LAW GROUP, P.C.

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5       /s/ M. Lani Esteban-Trinidad

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& STEWART, P.C.

/s/ Erica J. Chee

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**ORDER**

Pursuant to the parties' stipulation IT IS HEREBY ORDERED this action is DISMISSED with prejudice, each side to bear its own fees and costs. The Clerk of Court is instructed to CLOSE this case.

Dated: September 5, 2017.

  
UNITED STATES DISTRICT JUDGE